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29855 7590 11/23/2005

WONG, CABELLO, LUTSCH, RUTHERFORD &  
 BRUCCULERI,  
 P.C.  
 20333 SH 249  
 SUITE 600  
 HOUSTON, TX 77070

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Rebecca Ginn (Depositor's name)  
 (Signature)  
 January 11, 2006 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014.337	12/10/2001	Yiping Ding	5253-04082	1522

TITLE OF INVENTION: SYSTEM AND METHOD FOR AUTOMATIC WORKLOAD CHARACTERIZATION

149-0044US

01/12/2006 TBESHAH2 00000047 501922 10014337

01 FC:1501	1400.00 DA					
02 FC:1504	APPLN 300200 DA	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
	nonprovisional	NO	\$1400	\$300	\$1700	02/23/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
BULLOCK JR, LEWIS ALEXANDER	2195	718-104000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 **Wong, Cabello,**  
 2 **Lutsch, Rutherford,**  
 3 **& Brucculieri LLP**

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

BMC Software, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Houston, Texas

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
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- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number **501922 (149-0044US)**

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Authorized Signature

Sean McDermott

Date

Jan. 11, 2006

Typed or printed name

Registration No. 49,000

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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WONG CABELLO

PAGE 01



# wongcabello

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## FACSIMILE TRANSMISSION COVER SHEET

Date: Wednesday, January 11, 2006

To USPTO - Examiner: Lewis Alexander Bullock Jr. Art Unit: 2195

Fax: 571/273-2885

From: Sean P. McDermott

Customer No: 29855

Client/Matter #: 149-0044US

Serial No.: 10/014,337

Re: *Please see the attached*

Pages (including cover page): 3

Received in the United States Patent and Trademark Office  
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